

[[Emergency]] Expedited Bill No. 20-02
Concerning: Property - Disposition -
Certain Schools
Revised: 3-13-03 Draft No. 4
Introduced: May 23, 2002
Enacted: March 18, 2003
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the request of the County Executive

AN [[EMERGENCY]] EXPEDITED ACT to:

- [[(1)] authorize the County Executive to dispose of specific closed schools under certain conditions without following certain required processes[; and]]
- [[(2) generally amend the law governing the disposition of closed schools]].

By amending

Laws of Montgomery County [[2002]] 2003

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

1 **The Laws of Montgomery County ~~[[2002]] 2003~~ are amended as follows:**

2 (a) Notwithstanding ~~[[any provision]]~~ those provisions of County Code
3 Section 11B-45 or Regulation 4-99AM referred to in subsection (b) to
4 the contrary, the County Executive may contract with the Yeshiva
5 High School of Greater Washington, Inc. to:

6 (1) modify an existing lease-purchase agreement for the former
7 Belt Junior High School to allow the County to reacquire that
8 school and transfer it to Montgomery County Public Schools
9 for public educational uses; and

10 (2) at the same time enter into a lease agreement for the former
11 Montgomery Hills Junior High School that would allow
12 Yeshiva High School of Greater Washington, Inc. to lease and
13 occupy that school after the County has made certain
14 improvements to it.

15 (b) Any agreement authorized by subsection (a) may:

16 (1) be adopted without following the reuse process in sections 4.1
17 through 4.7 of Regulation 4-99AM;

18 (2) have a longer term and greater notice of termination than
19 required by section 6 of Regulation 4-99AM;

20 (3) limit community use of interior spaces as necessary to provide
21 the lessee adequate security;

22 (4) allow the lessee to make certain minor capital improvements
23 without County approval, and conform the rent credit
24 provisions accordingly; and

25 (5) modify the capital improvement reimbursement provisions of
26 section 6.9 of Regulation 4-99AM.

27 ~~[[b)]]~~ (c) Any agreement authorized by subsection (a) must:

- (1) be subject to the approval of the County Council; and
- (2) be referred to the Planning Board under state law in a timely manner for its review[[;]]
- [[(3) reserve public access to Montgomery Hills Junior High School's outdoor athletic and recreational facilities except to the extent public access would unduly interfere with the lessee's use of the property; and]]
- [[(4) include a clause that retains the County's right to terminate the lease of Montgomery Hills Junior High School, within certain limits and after certain notice, to reconvey the School to Montgomery County Public Schools]].

Sec. 2. [[Emergency]] Expedited Effective Date.

The Council declares [[that an emergency exists and]] that this legislation is necessary for the immediate protection of the public [[health and safety]] interest. This Act takes effect on the date on which it becomes law.

Approved:

Michael L. Subin, President, County Council

Date

Approved:

Douglas M. Duncan, County Executive

Date

This is a correct copy of Council action.

Mary A. Edgar, CMC, Clerk of the Council

Date